

UNITED STATES DISTRICT COURT
DISTRICT OF NEVADA

LUXEYARD, INC.,)	3:15-cv-00357-LRH-WGC
)	
Plaintiff,)	<u>MINUTES OF THE COURT</u>
)	
vs.)	October 8, 2015
)	
KAY HOLDINGS, INC., SANO HOLDINGS,)	
INC., and ROBERT WHEAT,)	
)	
Defendants.)	
_____)	

PRESENT: THE HONORABLE WILLIAM G. COBB, U.S. MAGISTRATE JUDGE

DEPUTY CLERK: KATIE LYNN OGDEN REPORTER: NONE APPEARING

COUNSEL FOR PLAINTIFF(S): NONE APPEARING

COUNSEL FOR DEFENDANT(S): NONE APPEARING

MINUTE ORDER IN CHAMBERS:

Before the court are the parties' motion (ECF No. 32) and Joint Agreed Protective and Confidentiality Order (ECF No. 32-1). The motion and confidentiality order are **denied without prejudice** for the following reasons:

1.) The court cannot understand the procedures described in paragraph C.2: "...in the event that in camera inspection of such information is requested or documents are filed with the court under seal, C.1(f) and C.1(i)..." The court directs the parties to clarify what is intended under paragraph C.2. Also, the protective order should reflect that any submission of documents *in camera* should comply with Local Rule 10-5(a).

2.) The court cannot discern the difference between paragraphs C.8 and C.9. However, should the proposed Protective Order refer to the filing of any emergency motion, the Protective Order should reference that the party seeking emergency relief must comply with Local Rule 7-5.

Additionally, any motion to seal records shall comply with Local Rule 10-5(b) and *Kamakana v. City and County of Honolulu*, 447 F.3d 1172 (9th Cir. 2006). In *Kamakana*, the Ninth Circuit held that the party seeking to file a paper under seal bears the burden of overcoming the presumption in favor of public access to papers filed in court.

By: _____ /s/
Deputy Clerk